

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
GREENBELT DIVISION**

COSTAR REALTY INFORMATION, INC.
and COSTAR GROUP, INC.,

Plaintiffs,

v.

MARK FIELD D/B/A ALLIANCE
VALUATION GROUP, *et al.*

Defendants.

Civil Action No. 8:08-CV-663-AW

**COSTAR'S MOTION FOR A DEFAULT JUDGMENT
AGAINST DEFENDANT MARK FIELD**

Plaintiffs CoStar Realty Information, Inc., and CoStar Group, Inc. (collectively, "CoStar") hereby move that the Answer of Defendant Mark Field D/B/A Alliance Valuation Group ("Field") be struck and that a Default Judgment be entered in CoStar's favor on all its causes of action against Field. In support of this Motion, CoStar notes that the Court previously issued an Order to Show Cause on November 2, 2009, requiring that Field show cause within 14 days of that Order why the Court should not enter a default judgment against him for failing to respond to CoStar's discovery requests. *See* D.E. 83, Order to Show Cause.

Undersigned counsel for CoStar notes that they mailed the Court's Order to Show Cause to Field at an address that where counsel has previously sent him registered mail and Federal Express deliveries. Ex. 1, November 12, 2009 Letter to M. Field and FedEx Delivery Confirmation. Counsel for CoStar also corresponded with Field's former counsel, R. Wayne Pierce, suggesting that he deliver the Order to

Show Cause to Field, given that Mr. Pierce was able to produce an affidavit from Field in support of Defendant Pathfinder Mortgage Corporation's Motion for Summary Judgment. *See* Ex. 2, November 12, 2009 Letter to R.W. Pierce; D.E. 75 at Exhibit 1.

Field did not comply with the Court's Order to Show Cause by November 16, 2009, as required by that Order, nor has he responded to the Court or CoStar in any way. Accordingly, CoStar suggests that Field has failed to show cause and that his Answer be struck and a default judgment be entered against him pursuant to Fed. R. Civ. P. 37(b)(2)(A)(vi) and 37(d). CoStar shall submit a Memorandum detailing its claims for damages and attorney's fees within 30 days of the entry of any Order granting its motion for default judgment.

For all the reasons set forth above, CoStar respectfully requests that its motion be granted and the attached proposed order accordingly be entered.

Dated: December 16, 2009

Respectfully submitted,

/s/

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*Attorneys for Plaintiffs CoStar Realty Information,
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CERTIFICATE OF SERVICE

I hereby certify that service required by Fed. R. Civ. P. 5 was made, and that a true copy of the above document was served upon the attorneys of record for the following parties by electronically filing the document with the Clerk of Court using the CM/ECF system, which caused a Notice of Electronic Filing (NEF) to be sent to the following on December 16, 2009:

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Attorney for Defendant Pathfinder Mortgage Company

I further certify that service required by Fed. R. Civ. P. 5 was made, and that a true copy of the above document was served upon the attorneys of record listed above and on the following parties by overnight Federal Express and electronic mail on December 16, 2009:

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Pro se defendant

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/s/

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